

1 BILL NO. R-85-05-54

2 RESOLUTION NO. R-

81-85

3 A RESOLUTION of the Common Council
4 of the City of Fort Wayne, Indiana
5 setting forth the policy of the City
6 of Fort Wayne, Indiana in regards to
7 the annexation of the Smith/Winters
8 Road Annexation Area.

9 WHEREAS, the annexation of territory to the City of
10 Fort Wayne is a legislative function; and

11 WHEREAS, the Common Council of the City of Fort Wayne
12 is called upon in the preparation of the City budget to provide
13 for the furnishing of municipal services to the entire City,
14 including newly annexed areas; and,

15 WHEREAS, the Common Council of the City of Fort Wayne
16 has before it an Ordinance for the annexation of the Smith/
17 Winters Road Annexation Area, more specifically described as
18 follows, to-wit:

19 A parcel of land located in the West One-half of the
20 Southwest One-quarter of Section 8, Township 29 North,
21 Range 12 East, Allen County, Indiana.

22 BEGINNING at the intersection of the North right-of-way
23 line of Winters Road and the East line of the West half
24 of the Southwest One-quarter of Section 8, Township 29
25 North, Range 12 East, Allen County, Indiana, said point
26 also being on the existing City Limits line; thence
27 North along the East line of the Southwest One-quarter
28 of the Southwest One-quarter of said Section 8 and
29 the existing City Limits line a distance of 1545.5
30 feet; thence West a distance of 285.66 feet; thence
31 South a distance of 196.0 feet to the North line of the
32 Southwest One-quarter of the Southwest One-quarter of
said Section 8; thence West along the North line of the
Southwest One-quarter of the Southwest One-quarter of
said Section 8 a distance of 1037.5 feet to the East
right-of-way line of Smith Road; thence South along
said East right-of-way line and parallel with the West
line of said Section 8 a distance of 1348.9 feet to its
intersection with the North right-of-way line of the
Winters Road; thence East on the North right-of-way
line of the Winters Road a distance of 1319.0 feet
to the point of beginning; said area contains 42.4
acres more or less.

33 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
34 THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That in the case of the Smith/Winters Road Annexation, it is the policy of the City of Fort Wayne to follow the provisions of Section 1.1 of Chapter 2 of the Municipal Code of the City of Fort Wayne, Indiana of 1974, as amended, with regards to the provision of non-capital and capital services to the annexation area.

SECTION 2. That it is the policy of the City of Fort Wayne to follow the annexation fiscal plan for said described territory, as prepared by the Division of Community Development and Planning, which is attached hereto and incorporated herein.

SECTION 3. That said plan sets forth cost estimates of the services to be provided, the methods of financing these services, the plan for the organization and extension of these services, delineates the non-capital improvement services to be provided within one (1) year of annexation, the capital improvement services to be provided within three (3) years of annexation, and the plan for hiring employees of other governmental entities whose jobs will be eliminated by this annexation.

SECTION 4. That said plan is hereby approved and adopted by the Common Council of the City of Fort Wayne, Indiana and shall be in full force and effect upon the effective date of the Smith/Winters Road Annexation Ordinance.

COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY

BRUCE O. BOXBERGER, CITY ATTORNEY

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4 of the City of Fort Wayne, Indiana
5 setting forth the policy of the City
6 of Fort Wayne, Indiana in regards to
7 the annexation of the Smith/Winters
8 Road Annexation Area.

9 WHEREAS, the annexation of territory to the City of
10 Fort Wayne is a legislative function; and

11 WHEREAS, the Common Council of the City of Fort Wayne
12 is called upon in the preparation of the City budget to provide
13 for the furnishing of municipal services to the entire City,
14 including newly annexed areas; and,

15 WHEREAS, the Common Council of the City of Fort Wayne
16 has before it an Ordinance for the annexation of the Smith/
17 Winters Road Annexation Area, more specifically described as
18 follows, to-wit:

19 Part of the Southwest Quarter of Section 8, Township 29
20 North, Range 12 East in Allen County, Indiana, more
21 particularly described as follows:

22 Beginning at the point of intersection of the North
23 right-of-way line of the Winters Road and the East
24 right-of-way line of the Smith Road, thence North along
25 the East right-of-way line of Smith Road a distance of
26 1355 feet more or less, to the Southwest corner of
27 Tract 23, of the Southwest Quarter of Section 8,
28 Township 29 North, Range 12 East; thence East, along
29 the South property line of said Tract 23, a distance of
30 1025 feet more or less, to the Southeast corner of
31 Tract 23; thence North along the East property line of
32 Tract 23 a distance of 200 feet more or less to the
Northeast corner of Tract 23; thence East along the
South property line of Tract 10, of the Southwest
Quarter of Section 8, Township 29 North, Range 12 East,
a distance of 285 feet more or less, to the existing
corporate limits line of the City of Fort Wayne,
Indiana; thence South along the existing corporate
limits line a distance of 1555 feet more or less, to
the North right-of-way line of the Winters Road; thence
west along the North right-of-way line of the Winters
Road, a distance of 1310 feet more or less to the point
of beginning; said area contains 42 acres more or less.

NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

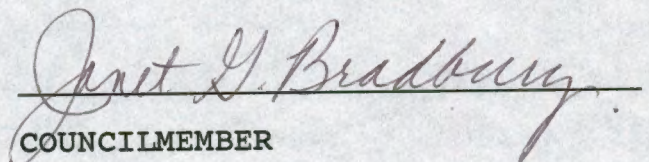
SECTION 1. That in the case of the Smith/Winters Road

1 Annexation, it is the policy of the City of Fort Wayne to
2 follow the provisions of Section 1.1 of Chapter 2 of the
3 Municipal Code of the City of Fort Wayne, Indiana of 1974, as
4 amended, with regards to the provision of non-capital and
5 capital services to the annexation area.

6 SECTION 2. That it is the policy of the City of Fort
7 Wayne to follow the annexation fiscal plan for said described
8 territory, as prepared by the Division of Community Develop-
9 ment and Planning, which is attached hereto and incorporated
10 herein.

11 SECTION 3. That said plan sets forth cost estimates of
12 the services to be provided, the methods of financing these
13 services, the plan for the organization and extension of these
14 services, delineates the non-capital improvement services to be
15 provided within one (1) year of annexation, the capital
16 improvement services to be provided within three (3) years of
17 annexation, and the plan for hiring employees of other govern-
18 mental entities whose jobs will be eliminated by this annexa-
19 tion.

20 SECTION 4. That said plan is hereby approved and
21 adopted by the Common Council of the City of Fort Wayne,
22 Indiana and shall be in full force and effect upon the effect-
23 ive date of the Smith/Winters Road Annexation Ordinance.

24 
25 COUNCILMEMBER

26
27 APPROVED AS TO FORM AND LEGALITY

28 
29
30 BRUCE O. BOXBERGER, CITY ATTORNEY
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Read the first time in full and on motion by Bradbury, seconded by Embrey and duly adopted, read the second time by title and referred to the Committee Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.

DATE: 5-28-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Bradbury, seconded by Alonso, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>7</u>	<u> </u>	<u>1</u>	<u>1</u>	<u> </u>
<u>BRADBURY</u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>EISBART</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>GIAQUINTA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HENRY</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>REDD</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT</u>	<u>✓</u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 6-25-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~ANNEXATION~~) (~~APPROPRIATION~~) (~~GENERAL~~) (~~SPECIAL~~) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 3-81-85 on the 25th day of June, 1985,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. Giacinto
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of June, 1985, at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 26th day of June, 1985, at the hour of 3:00 o'clock P. M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

Q-PS-05-54

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Smith/Winters Road Annexation Resolution

DEPARTMENT REQUESTING ORDINANCE Community Development and Planning

SYNOPSIS OF ORDINANCE Resolution confirms that the City has developed
a definite policy for providing services to the Smith/Winters Road Annexation
area. It also clearly links the City's General Annexation Resolution
(Section 1.1 of Chapter 2 of the Municipal Code of the City of Fort Wayne
of 1974, as amended) to the Smith/Winters Road Annexation.

EFFECT OF PASSAGE The City will be more secure in meeting State
annexation law requirements.

EFFECT OF NON-PASSAGE The City will be less secure in meeting State
annexation law requirements.

MONEY INVOLVED (Direct Cost, Expenditures, Savings) To be
explained by the Fiscal Plan to be prepared by CD&P.

ASSIGNED TO COMMITTEE (J.N.) _____

BILL NO. R-85-05-54

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS
REFERRED AN ~~(ORDINANCE)~~ (RESOLUTION) of the Common Council of the
City of Fort Wayne, Indiana setting forth the policy of the City
of Fort Wayne, Indiana in regards to the annexation of the Smith/Winters
Road Annexation Area

HAVE HAD SAID ~~(ORDINANCE)~~ (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID ~~(ORDINANCE)~~
(RESOLUTION) Do Pass

YES

NO

JANET G. BRADBURY
CHAIRWOMAN

THOMAS C. HENRY
VICE CHAIRMAN

SAMUEL J. TALARICO

PAUL M. BURNS

BEN A. EISBART

CONCURRED IN 6-25-85

SANDRA E. KENNEDY
CITY CLERK